

APPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "C" MEETING

TIME AND PLACE: Special Conference Committee "C" convened on August 3, 2007, at 9:00 a.m., at the Department of Health Professions, 6603 W. Broad Street, Richmond, Virginia.

APPROVAL OF MINUTES: Dr. Watkins moved to approve the minutes of the Special Conference Committee "C" meeting held on May 11, 2007. The motion was seconded and passed.

FIRST CONFERENCE: 9:02 a.m.

PRESIDING: James D. Watkins, D.D.S.

MEMBER PRESENT: Misty L. Sissom, R.D.H.

MEMBER ABSENT: Darryl J. Pirok, DDS

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Catherine Chappell, Administrative Assistant
Cynthia Gaines, Adjudication Specialist

QUORUM: With two members of the Committee present, a quorum was established.

**James D. Geren, D.D.S.
Case No. 104997**

James D. Geren, D.D.S appeared with counsel Mark Jones to discuss allegations that he may have violated laws and regulations governing the practice of dentistry, in that,

1. He may have violated § 54.1-2706(5) and (11) *[formerly § 54.1-2706.A(5) and (10)]* of the Code, in that he improperly performed a root canal on Patient A's tooth #2. Specifically:
 - a. On or about May 23, 2000, Patient A presented to Dr. Geren's practice with a complaint of lingering pain in tooth #2, a tooth he crowned in May 1999. He diagnosed Patient A with irreversible pulpitis and performed an incomplete root canal on tooth #2, leaving the mesial buccal and distal buccal canals unfilled. He failed to refer the patient to an endodontist for further evaluation and treatment.
 - b. On May 30, 2000, Patient A returned with continued pain in tooth #2, and Dr. Geren diagnosed an infection in the palatal root and drained the tooth. However, he failed to prescribe antibiotics for the infection. Further,

on or about June 2000, Dr. Geren filled the palatal root, but was still unable to negotiate the mesial canals and failed to refer the patient to an endodontist for further evaluation and treatment of the tooth.

2. He may have violated § 54.1-2706(5) and (11) *[formerly §54.1-2706.A(5) and (10)]* of the Code, in that on October 18, 2001, Patient A returned with a complaint of pain in tooth #2. Without consulting a specialist or referring Patient A to an endodontist to determine the viability of tooth #2, Dr. Geren extracted and re-implanted it into a site with alveolar bone loss, knowing that the root canal was incomplete and had inadequate retrofilling.
3. He may have violated §54.1-2706(5) and (11) *[formerly § 54.1-2706.A(5) and (10)]* of the Code, in that, during the re-implantation of tooth #2, he perforated Patient A's sinus cavity, which he failed to detect. Additionally, he improperly repositioned tooth #2 and allowed it to remain in the site, without splinting to stabilize the tooth following the reimplantation. Further, he failed to monitor Patient A following the re-implantation of tooth #2.
4. He may have violated § 54.1-2706(9) *[formerly § 54.1-2706.A(9)]* of the Code and 18VAC60-20-15 of the Regulations of the Board of Dentistry, in that dental records for Patient A do not always include the identity of the person providing the treatment. Further, the records do not reflect the type and amount of anesthesia administered, materials used for procedures rendered, periodontal charting, a treatment plan or post-operative instructions.

The Committee received statements from Dr. Geren and discussed the evidence in the case with him

Closed Meeting:

Ms. Sissom moved that the Committee convene a closed meeting pursuant to § 2.2-3711(a)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of James D. Geren, D.D.S.. Additionally, Ms. Sissom moved that Board staff, Alan Heaberlin and Catherine Chappell, and Administrative Proceedings Division staff, Cynthia Gaines, attend the closed meeting because their

presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Ms. Sissom moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Gaines read the Findings of Fact and Conclusions of Law as adopted by the Committee as follows:

1. Dr. Geren holds a current Virginia dental license;
2. Dr. Geren violated § 54.1-2706(5) and (11) *[formerly § 54.1-2706.A(5) and (10)]* of the Code, in that Dr. Geren improperly performed the root canal on Patient A's tooth #2. Specifically:
 - a. On or about May 23, 2000, Patient A presented to his practice with a complaint of lingering pain in tooth #2, a tooth he crowned in May 1999. He diagnosed Patient A with irreversible pulpitis and performed an incomplete root canal on tooth #2, leaving the mesial buccal and distal buccal canals unfilled.
 - b. On May 30, 2000, Patient A returned with continued pain in tooth #2 and Dr. Geren diagnosed an infection in the palatal root and drained the tooth. However, he failed to prescribe antibiotics for the infection. Further, on or about June 1, 2000, he filled the palatal root, but was still unable to negotiate the mesial buccal and distal buccal canals and failed to refer the patient to an endodontist for further evaluation and treatment of the tooth.
3. He violated § 54.1-2706(5) and (11) *[formerly § 54.1-2706.A(5) and (10)]* of the Code, in that on October 18, 2001, Patient A returned with a complaint of pain in tooth #2. Without consulting a specialist or referring Patient A to an endodontist to determine the viability of tooth #2, he extracted and re-implanted it into a site,

knowing that the root canal was incomplete and had inadequate retrofilling.

4. He violated § 54.1-2706(5) and (11) [*formerly § 54.1-2706.A(5) and (10)*] of the Code, in that, during the re-implantation of tooth #2, he perforated Patient A's sinus cavity, which he failed to detect. Further, he failed to monitor Patient A following the re-implantation of tooth #2.
5. He violated § 54.1-2706(9) [*formerly §54.1-2706.A(9)*] of the Code and 18 VAC60-20-15 of the Regulations of the Board of Dentistry, in that dental records for Patient A do not always include the identity of the person providing the treatment. Further, the records do not reflect the type and amount of anesthesia administered, materials used for procedures rendered, periodontal charting, a treatment plan or post-operative instructions.

The sanctions reported by Ms. Gaines were that Dr. Geren be reprimanded and be required to complete four (4) continuing education hours in recordkeeping and three (3) continuing education hours in risk management within six (6) months from the date the Order is entered. Such hours are over and above the 15 hours of continuing education required for licensure renewal.

Ms. Sissom moved that the Committee adopt the Findings of Fact and Conclusions of Law, and sanctions imposed as reported by Ms. Gaines. The motion was seconded and passed.

As provided by law, this decision shall become a Final Order thirty days after service of such on Dr. Geren unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Geren. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Committee shall be vacated.

SECOND CONFERENCE: 10:40 a.m.

**Virginia Board of Dentistry
Special Conference Committee C
August 3, 2007**

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PRESIDING: James D. Watkins, D.D.S.

MEMBER PRESENT: Misty L. Sissom, R.D.H.

MEMBER ABSENT: Darryl J. Pirok, DDS

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Catherine Chappell, Administrative Assistant
Leigh Kiczales, Adjudication Specialist

QUORUM: With two members of the Committee present, a quorum was established.

**Mojgan Mazhari, D.D.S.
Case No. 102602**

Mojgan Mazhari, DDS., appeared with counsel, to discuss allegations that she may have violated certain laws governing the practice of dentistry in the Commonwealth of Virginia. Specifically that she may have violated § 54.1-2706(5) and (11) of the Code, in that, from November 2003 to March 2005, during the course of her treatment of Patient A, she failed to deliver properly fitting crowns on teeth #5, 12, 13, 18 and 28, causing partial open margins on those teeth, as determined by a subsequent dentist on April 21, 2005. Further, it was also determined that teeth #5-6 and 22-23 had loose contacts, and teeth #11-12, 13-14, and 18-19 had open contacts.

The Committee received statements from Dr. Mazhari and discussed the evidence in the case with her.

Closed Meeting: Ms. Sissom moved that the Committee convene a closed meeting pursuant to § 2.2-3711(a)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Mojgan Mazhari, D.D.S. Additionally, Ms. Sissom moved that Board staff Alan Heaberlin and Catherine Chappell, and Administrative Proceedings Division staff, Leigh Kiczales, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Ms. Sissom moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as

were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Dr. Watkins reported that the Committee determined that a violation of the Board's statutes and regulations was not established by clear and convincing evidence, and therefore, the case is dismissed. Ms. Sissom moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE:

1:16 p.m.

PRESIDING:

James D. Watkins, D.D.S.

MEMBER PRESENT:

Misty L. Sissom, R.D.H.

MEMBER ABSENT:

Darryl J. Pirok, DDS

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Catherine Chappell, Administrative Staff Assistant
Cynthia Gaines, Adjudication Specialist

QUORUM:

With two members of the Committee present, a quorum was established.

**Winfred Hudgins Jr. D.D.S.
Case No. 105137**

Winfred Hudgins, Jr., D.D.S. did not personally appear but was represented by Attorney Richard Baker to discuss allegations that he may have violated certain laws governing the practice of dentistry in the Commonwealth of Virginia. Specifically that he may have violated § 54.1-2706(5) and (11) of the Code, in that:

- a. From in or about April 2005 through August 2005, he failed to properly fit and place a crown on Patient A's tooth #18. Further, the restoration required additional adjustments because of pain, pressure, and gingival hyperplasia.
- b. On or about July 7, 2004, while he was anesthetizing tooth #21, the metal portion of the

syringe separated from the hub and lodged in Patient B's jaw.

The Committee received statements from Richard Baker, counsel for Dr. Hudgins.

Closed Meeting:

Ms. Sissom moved that the Committee convene a closed meeting pursuant to § 2.2-3711(a)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Winfred Hudgins, Jr., D.D.S. Additionally, Ms. Sissom moved that Board staff Alan Heaberlin and Catherine Chappell, and Administrative Proceedings Division staff, Cynthia Gaines, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Ms. Sissom moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Dr. Watkins reported that the Committee determined that a violation of the Board's statutes and regulations was not established by clear and convincing evidence, and; therefore, the case is dismissed. Ms. Sissom moved to adopt the decision of the Committee. The motion was seconded and passed.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 1:45 p.m.

James D. Watkins, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date